

***Effective 5/12/2015***

**11-44-202 Types of agreements.**

Notwithstanding Section 63G-6a-1205, a political subdivision shall structure a performance efficiency agreement as a guaranteed performance efficiency agreement, which shall include:

- (1) the design and installation of a performance efficiency measure, if applicable;
- (2) operation and maintenance of a performance efficiency measure implemented; and
- (3) guaranteed annual cost savings that meet or exceed the total annual agreement payments by the political subdivision under the agreement, including financing charges incurred by the political subdivision over the life of the agreement.

Amended by Chapter 181, 2015 General Session